

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

U.S.A. vs. Elvin Freeman Morrison

Docket No. 5:98-CR-37-16F

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Elvin Freeman Morrison, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Distribute and Possess with Intent to Distribute Cocaine Base (crack), Cocaine Powder, Heroin, and Marijuana, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on November 9, 1998, to the custody of the Bureau of Prisons for a term of 180 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

On January 24, 2000, pursuant to Rule 35 of the Federal Rules of Criminal Procedure, the court amended the defendant's judgment by reducing the imprisonment portion of the sentence to 135 months.

Elvin Freeman Morrison was released from custody on December 21, 2007, at which time the term of supervised release commenced.

On August 9, 2000, a violation report was submitted to the court advising that the defendant was in arrears towards his financial obligation to the court. It was recommended that his monthly payment be reduced to \$50.00 per month.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant committed the offense of Driving While Impaired on December 11, 2011, in Cumberland County, North Carolina. It is recommended that the defendant complete 24 hours of community service and that the alcohol abstinence condition be added to the defendant's conditions of release.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

Elvin Freeman Morrison
Docket No. 5:98-CR-37-16F
Petition For Action
Page 2

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: January 11, 2012

ORDER OF COURT

Considered and ordered this 12 day of January, 2012, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge